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JUN 11 1993

BEFORE THE

**Federal Communications Commission**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

WASHINGTON, D. C. 20554

In re Applications of	)	MM DOCKET NO. 93-127
JANICE M. SCANTLAND	)	File No. BPH-920113MC
ROBERT G. CASAGRANDE	)	File No. BPH-920115ME
For a Construction Permit for	)	
a New FM Station on Channel	)	
282A at Richwood, Ohio	)	

To: Administrative Law Judge Arthur I. Steinberg

**PARTIAL OPPOSITION TO PETITION FOR LEAVE TO AMEND**

Janice M. Scantland ("Scantland"), herein partially opposes the Petition for Leave to Amend filed by Robert G. Casagrande ("Casagrande") on June 8, 1993.

Casagrande's amendment reports that he is President, Treasurer, Director and a member of Christian Broadcasting Services, Inc., an applicant for a new FM station to operate on Channel 218A in Columbus, Ohio. Christian Broadcasting Services' application was filed October 29, 1992. The amendment is undated.<sup>1/</sup>

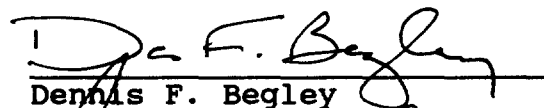
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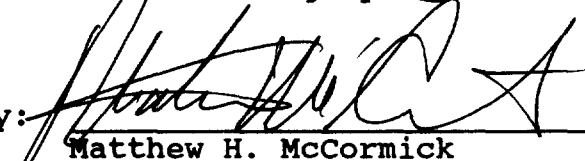
<sup>1/</sup> Counsel for Casagrande attempts to accept blame for the failure to file the amendment in a timely manner. Casagrande himself, however, has been involved in broadcasting since 1974 and has been a principal in various applicants for FCC construction

While the amendment may be accepted for the purposes of reporting the filing of the Columbus application, the divestiture pledge included in the amendment is entitled to no comparative consideration. A divestiture pledge can be honored only if made within 30 days of the pertinent event (in this case the filing of Christian Broadcasting Services' application). See Jerome Thomas Lamprecht, 99 FCC 2d 1219, 1222 (Rev. Bd. 1984) (subsequent history omitted).<sup>2/</sup>

WHEREFORE, in light of all circumstances present, Casagrande's amendment proffered June 8, 1993 should be ACCEPTED for reporting purposes only.

JANICE M. SCANTLAND

By:   
Dennis F. Begley

By:   
Matthew H. McCormick

Her Counsel

Reddy, Begley & Martin  
1001 22nd Street, N.W.  
Suite 350  
Washington, D.C. 20037

June 11, 1993

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<sup>2/</sup> Although full discussion of the comparative impact of Casagrande's involvement with Christian Broadcasting Services properly is left to the parties' proposed findings of fact and conclusions of law, it is noted that extensive involvement in a noncommercial station by an applicant's principal is weighed under the diversification criterion. San Juan Television Improvement Corp., 96 FCC 2d 594, 595-96 (Rev. Bd. 1983), remanded on other

**CERTIFICATE OF SERVICE**

I, Marilyn Phillips, hereby certify that on this 11th day of June, 1993, copies of the foregoing **PARTIAL OPPOSITION TO PETITION FOR LEAVE TO AMEND** were hand delivered or mailed, first class, postage prepaid, to the following:

Administrative Law Judge Arthur I. Steinberg \*  
Federal Communications Commission  
2000 L Street, N.W., Room 228  
Washington, D.C. 20554

Norman Goldstein, Esquire \*  
Hearing Branch  
Federal Communications Commission  
2025 M Street, N.W., Room 7212  
Washington, D.C. 20554

Gene A. Bechtel, Esquire  
Bechtel & Cole, Chartered  
1901 L Street, N.W.  
Suite 250  
Washington, D.C. 20036

  
Marilyn Phillips

**\*HAND DELIVERED**